



My residence, mailing address and citizenship are as stated below next to my name.

☐ was filed on _____;
as United-States Application Number or PCT International Application Number _____; and
was amended on _____ (if applicable).

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

Prior Foreign Application(s)

☐ Yes ☐ No

(Country)

☐ Yes ☐ No

(Country)

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

January 27, 2000
(Filing Date)

(Filing Date)

(Application No.)

(Filing Date)

(Status - patented, pending, abandoned)

(Filing Date)

(Status - patented, pending, abandoned)



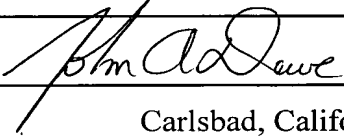

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	Sui Xiong Cai		
Signature of sole or first inventor		01/24/01	Date 
Residence	San Diego, California		
Citizenship	United States of America		
Mailing Address	3623 Berryfield Court		
	San Diego, California 92130		
Full name of second inventor	John A. Drewe		
Signature of second inventor		01/24/01	Date 
Residence	Carlsbad, California		
Citizenship	United States of America		
Mailing Address	7069 Murillo Lane		
	Carlsbad, California 92009		

(Supply similar information and signature for subsequent joint inventors, if any)

POWER OF ATTORNEY FROM ASSIGNEE

Cytovia, Inc., a corporation of Delaware, having a principal place of business at 6650 Nancy Ridge Drive, San Diego, California 92121, is assignee of the entire right, title and interest for the United States of America (as defined in 35 U.S.C. § 100), by reason of an Assignment to the Assignee executed on January 24, 2001 of an invention known as Substituted Nicotinamides and Analogs as Activators of Caspases and Inducers of Apoptosis and the Use Thereof (Attorney Docket No. 1735.0440001/RWE/BEC), which is disclosed and claimed in a patent application of the same title by the inventor(s) Sui Xiong Cai and John A. Drewe (said application filed on (Herewith) at the U.S. Patent and Trademark Office, having Application Number (To be assigned)).

The Assignee hereby appoints the following U.S. attorneys to prosecute this application and any continuation, divisional, continuation-in-part; or reissue application thereof, and to transact all business in the U.S. Patent and Trademark Office connected therewith: Robert Greene Sterne, Esq., Reg. No. 28,912; Edward J. Kessler, Esq., Reg. No. 25,688; Jorge A. Goldstein, Esq., Reg. No. 29,021; Samuel L. Fox, Esq., Reg. No. 30,353; David K.S. Cornwell, Esq., Reg. No. 31,944; Robert W. Esmond, Esq., Reg. No. 32,893; Tracy-Gene G. Durkin, Esq., Reg. No. 32,831; Michele A. Cimbala, Esq., Reg. No. 33,851; Michael B. Ray, Esq., Reg. No. 33,997; Robert E. Sokohl, Esq., Reg. No. 36,013; Eric K. Steffe, Esq., Reg. No. 36,688; Michael Q. Lee, Esq., Reg. No. 35,239; Steven R. Ludwig, Esq., Reg. No. 36,203; John M. Covert, Esq., Reg. No. 38,759; and Linda E. Alcorn, Esq., Reg. No. 39,588. The Assignee hereby grants said attorneys the power to insert on this Power of Attorney any further identification that may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

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FOR: Cytovia, Inc.

SIGNATURE: [Signature]

BY: Ben Y. Tseng, Ph.D.

TITLE: Vice President, Biology

DATE: Jan 24, 2001

Certificate Under 37 C.F.R. § 3.73(b)

Applicant/Patent Owner: Sui Xiong Cai and John A. Drewe

Application No./Patent No.: _____ (to be assigned) Filed/Issue Date: _____ (Herewith)
Substituted Nicotinamides and Analogs as Activators of Caspases and Inducers of Apoptosis
Entitled: and the Use Thereof

Cytovia, Inc., a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest, or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. ☒ An Assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s) of the patent application/patent identified above to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE:] A separate copy (*i.e.*, the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Date: January 24, 2001
Name: Ben Y. Tseng, Ph.D.
Title: Vice President, Biology
Signature: Ben Y Tseng



PTO: 09/769420